IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF IOWA CENTRAL DIVISION

MAYTAG CORPORATION,)	
)	Civil No. 4:02-cv-10217
Plaintiff,)	
)	
VS.)	
)	
TURBOCHEF TECHNOLOGIES, INC.,)	ORDER
)	
Defendant.)	

On December 30, 2002, the Court dismissed Count V and ordered a stay of Counts I-IV and VI of Maytag's First Amended Complaint. The motion to dismiss or stay Count VII was denied. At the December 19th hearing, the Court advised TurboChef that it had until January 2, 2003 to resist Maytag's motion for summary judgment as to Count VII. TurboChef did not resist. Therefore, judgment is entered in favor of Maytag on Count VII in the amount of \$359,371.66 plus additional accrued interest and costs.

IT IS SO ORDERED.

This 6th day of January, 2003.